

Application No. 09/707,926

REMARKS

The FINAL Office Action of August 27, 2004 has been carefully considered. Reconsideration of this application, as amended, is respectfully requested.

Claims 9-16 are pending in this application. Of these, claim 9 is an independent claim.

This Amendment cancels claims 1-8 and 17-20 to better place this Application in condition for Allowance.

1. Response to Rejection of Claims 1-8 Under 35 USC 102

The Office Action on pages 2-8 rejects claims 1-8 under 35 USC 102(b) as being anticipated by Lobiondo, U.S. Patent No. 5,287,194 (hereinafter referred to as "Lobiondo"). Further, the Office Action on pages 16-20 sets forth "Response to Arguments" concerning claims 1-8. In view of this Amendment canceling claims 1-8, this rejection is now believed to be overcome.

2. Response to Rejection of Claims 8-13 Under 35 USC 103

The Office Action on pages 8-13 rejects claims 9-16 under 35 USC 103(a) as being unpatentable over Lobiondo in view of "well know technique or procedure" supported by claim 43 of Orlick Patent Application Publication US 2002/0049733 (hereinafter referred to as Orlick).

More specifically, the Office Action alleges on page 10, first paragraph, that it would be obvious for one of ordinary skill in the art to combine Lobiondo and Orlick, and that their combination renders claim 9 when read as a whole unpatentable. Applicant respectfully disagrees and submits that Lobiondo together with Orlick fails to disclose or suggest Applicant's claimed invention set forth in independent claim 9 for the following reasons.

Generally, Lobiondo concerns a print shop management scheduling system. More specifically, Lobiondo discloses that a scheduler may be used to operate with, for example, a print server that services multiple printers. As described in Lobiondo, when a job submission is received by the print server, the scheduler determines whether the selected printer can complete the job by the required completion time. If the job cannot be completed by the desired time, the scheduler can allocate portions of the job to different printers. (See Lobiondo column 4, lines 46-65 and Abstract.)

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In contrast, Orlick concerns an appointment scheduling system (e.g., for appointment of clients of a dental service organization). The appointment scheduling system allows authorized users to gain access to an administrator's web site to obtain a schedule. The user may select a time slot which has not been selected or frozen. (See Orlick Abstract.)

In contrast, Applicant's claimed invention set forth in independent claim 9 recites a method for processing a print job with geographically distributed print shops, which includes (a) sending to a central repository a production schedule of a set of print shops with access controls that allow visibility of their production schedules to another print shop, (b) retrieving at the other print shop from the central repository production schedules of printers that have access controls that permit visibility of their production schedules to the other print shop, and (c) transferring at least part of a print job from the other print shop to a print shop in the set of print shops independent of any centralized scheduling application.

More specifically, Applicant submits that Lobiondo fails to disclose or suggest a method for processing a print job in which a plurality of print shops forward production schedules to a central repository. The Office Action in section 5(b) on page 3 alleges that this claimed element is described by Lobiondo at column 3 lines 56-60 and column 6 lines 22-25. Applicant respectfully disagrees. Instead Applicant maintains that Lobiondo in the cited section fails to disclose or suggest that print shops forward production schedules to a central repository as claimed by Applicant. Instead, Lobiondo discloses that a print job scheduler may be used by print shops to optimize printing schedules (see Lobiondo column 5, lines 42-44).

That is, unlike Applicant's claimed act of submitting production schedules to a central repository with access controls for limiting viewing by other print shops, Lobiondo concerns the submission of job requests to a scheduling routine that has access to the capabilities and availability of different printers. As maintained in the Office Action on page 10, last paragraph, Lobiondo fails to teach: "including or assigning access control allowing viewing second printshops' production schedules by first printshop". In other words as described in Lobiondo, the operation performed by a scheduler upon receiving a user submitted print job fails to include or suggest receiving requests with access controls that allow visibility to a limited number of print job submitters. Lobiondo thus fails to disclose or suggest as claimed by

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Applicant storing in a central repository print shops production schedules from print shops for print shops to retrieve, or limiting their access to other print shops as specified when they are sent to the repository by the print shops.

Assuming there existed some suggestion or motivation to combine Lobiondo with Orlick, their combination would produce a centrally controlled system in which users access a schedule to select an available time to print a job. That is, if Lobiondo and Orlick were combined, their combination would produce a centralized print job scheduling system that would allow users to identify a period of time available at printers to process their print jobs. In such a system, printer production schedules would not be submitted by print shops with access controls that limit their visibility to other print shops as claimed by Applicant, but instead as taught by Orlick access controls would be used to limit access by users to the centralized scheduling system. Thus, Lobiondo combined with Orlick fails to disclose or suggest as claimed by Applicant a method in which the transfer a print job from one print shop to another print shop is effected independent of any centralized scheduling application using a central store of production schedules with access controls submitted and access by the print shops.

Accordingly, Applicant respectfully submits that independent claim 9 is patentably distinguishable over Lobiondo in view of Orlick. Insofar as claims 10-16 are concerned, these claims depend from now presumably allowable independent claim 9 and are also believed to be in allowable condition.

3. Response to Rejection of Claims 17-20 Under 35 USC 103

The Office Action on pages 13-16 rejects claims 17-20 under 35 USC 103(a) as being unpatentable over Lobiondo in view of Giovannoli, U.S. Patent 5,842,178. In view of this Amendment canceling claims 17-20, this rejection is now believed to be overcome.

4. Fee Authorization And Extension Of Time

No additional fee is believed to be required for this amendment or response, however, the undersigned Xerox Corporation attorney hereby authorizes the charging of any necessary fees, other than the issue fee, to Xerox Corporation Deposit Account No. 24-0025. This also constitutes a request for any needed extension of time and authorization to charge all fees therefor to Xerox Corporation

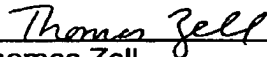
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Deposit Account No. 24-0025.

5. Conclusion

In view of the foregoing remarks, reconsideration of this application and allowance thereof are earnestly solicited. In the event the Examiner considers a personal contact advantageous to the disposition of this case, the Examiner is hereby requested to call Attorney for Applicant(s), Thomas Zell.

Respectfully submitted,



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